Docket No.: 19603/3286 (CRF D-2062B)

Examiner: A. Kubelik

Art Unit: 1638

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

€ TRADEME **Applicants**

Kim et al.

Serial No.

09/596,958

Cnfrm. No.

5427

Filed

June 20, 2000

For

DNA ENCODING ERWINIA

AMYLOVORA HYPERSENSITIVE

RESPONSE ELICITOR AND ITS USE

REQUEST FOR FIVE-MONTH EXTENSION OF TIME

MAIL STOP RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby request a Five-Month Extension of Time, thereby extending the deadline to July 17, 2003. On December 17, 2002, applicants filed a timely Notice of Appeal. Therefore, a response by applicants was due on February 17, 2003. A two-month extension of time was previously filed on April 17, 2003, therefore the amount now due is \$780, which represents the difference between the fee for the five-month extension of time and the previously paid fee for a two-month extension of time. Enclosed is a check to cover the \$780.00 fee for the extension of time.

Please charge our Deposit Account No. 14-1138 for additional fees that may be incurred.

07/21/2003 CNGUYEN 00000093 09596958

02 FC:2255

780.00 OP

Date: July 16, 2003

NIXON PEABODY LLP

Clinton Square, P.O. Box 31051 Rochester, New York 14603-1051

Telephone: (585) 263-1128 Facsimile: (585) 263-1600 Respectfully submitted,

Edwin V. Merkel

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Certificate of Mailing - 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents P.O. Box 1450

xandria, VA 22313-1450, on the data below

C. Wirszyla